

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6362**

**BILL NUMBER:** HB 1080

**NOTE PREPARED:** Jan 23, 2003

**BILL AMENDED:**

**SUBJECT:** Supervision of minor employees at night.

**FIRST AUTHOR:** Rep. Cheney

**FIRST SPONSOR:** Sen. Harrison

**BILL STATUS:** As Passed - House

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill prohibits a private employer from permitting a child to work after 10 p.m. and before 6 a.m. in an establishment that is open to the public unless the child is accompanied during that time by an adult employee. It provides for a civil penalty and increased worker's compensation benefits for a violation.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** *Department of Labor:* This bill may increase the administrative and inspection burden of the Department of Labor. However, any additional costs are expected to be absorbed using the Department's existing personnel and resources. The Department of Labor currently employs four child labor inspectors.

*Worker's Compensation:* Most state agencies do not employ individuals under the age of 18. An exception is the Department of Natural Resources which often employs younger workers for certain positions within the state park system (for example, lifeguards and gate attendants). Since state park employees currently follow the requirements specified in this bill, the state's exposure for increased worker's compensation benefits would be minimal.

**Explanation of State Revenues:** *Department of Labor:* This bill allows for the assessment of a civil penalty for noncompliance. The civil penalty for a violation of this provision is \$100 per instance for each violation identified following the initial inspection. A civil penalty of \$200 per instance can be assessed for a third violation and a \$400 civil penalty can be assessed for the fourth or subsequent violation. Civil penalties are deposited in the Employment of Youth Fund. In FY 2002, \$93,841 in civil penalties were deposited in this

Fund.

Depending on the compliance rate, this bill could increase the amount of civil penalties assessed and deposited in the Employment of Youth Fund. Half of the Fund is used for educating affected parties on the purpose and content of child labor laws. The other half of the Fund is used for the hiring and salaries of additional inspectors to enforce child labor laws.

**Explanation of Local Expenditures:** Local entities who employ individuals under the age of 18 may also be affected by this bill. Any impact on these entities, however, is expected to be negligible.

**Explanation of Local Revenues:**

**State Agencies Affected:** All.

**Local Agencies Affected:** All.

**Information Sources:** State Auditor's Revenue Trail Balance; Department of Personnel's staffing database.

**Fiscal Analyst:** Chuck Mayfield, 317-232-4825